

R E M A R K S

In the present Office action, claims 29-50 were examined. Claim 29-50 were rejected. By this amendment, claims 29 and 46 have been amended. No new matter has been added. Claims 29-50 are believed to be in condition for allowance.

The Amendment

Claims 29 and 46 have been amended for the following reasons. Upon review of the originally filed claim 1 of the WO-publication corresponding to the present application, two minor but important translation errors were discovered. Specifically, the original German version reads:

... ein wasserfreies Prozessgas
eingesetzt wird, das mindestens je eine auch
substituierte Kohlenwasserstoffverbindung ...

The correct literal translation is:

... employing a water-free process gas
which contains at least one hydrocarbon
compound, which can be substituted as well
... .

In addition to the original German version, there is recited on page 3, lines 7-16 and page 5, line 37 to page 6, line 20 of the present application that the organic compound of claim 29 can be substituted or not substituted.

In addition, claim 46 contains a minor translation error. Specifically, wherein claim 46 previously recited "... an initial

surface tension of < 45 mN/m which remains ...", the "<" should read " \geq " as is shown in Table 1/4 and on page 7, lines 14-19 of the description of the present invention. As a result, claim 46 as amended herein, has been altered to correctly read " \geq ". No new matter has been added.

To more clearly explain the significance of the central features of the present invention, the following brief discussion and overview is provided. The most important features of claim 29 are the following:

- Employing a water-free process gas. In the originally filed claim 1 and on page 3, lines 17-24, page 4, lines 1-6, page 5, lines 8-9, and page 9, lines 22-24, this important feature is repeatedly recited.
- The combined action of at least one hydrocarbon compound (substituted or not) with up to a maximum of 8C-atoms and also an inorganic gas.
- The process gas further comprises two to four gases of the following: CO_2 , CH_4 , O_2 , C_2H_2 , NH_3 and Ar.

As is evident, the present invention claims a hydrocarbon compound with up to a maximum of 8C-atoms always and without exception present in the process gas as well as an inorganic gas of the said six compounds.

As is further evident, CH_4 and/or C_2H_2 can be the not substituted hydrocarbon compound/s with up to 8C-atoms. In such a case, it is absolutely necessary that at least one or two of the four inorganic gases are present: CO_2 , O_2 , NH_3 and Ar. If,

on the other hand, the process gas contains at least one substituted or not substituted hydrocarbon compound which is not CH_4 and/or C_2H_2 , the compound of the group CO_2 , CH_4 , O_2 , C_2H_2 and Ar can be chosen freely with the said exception: CH_4 and C_2H_2 cannot be chosen without an inorganic compound. As is evident, in view of the substituted or not substituted hydrocarbon compound present in the reaction gas, O_2 and Ar can be selected from the group at the end of the claim 29.

Claim Rejections under 35 U.S.C. 103 and 35 U.S.C. 102

The Examiner rejected claims 29-50 as being anticipated or in the alternative as being obvious in view of Nishikawa et al. (4,693,927). The Examiner notes his belief that the resulting coating of Nishikawa et al. would be inherently polar and stable in the long term and that the reference gases would be inherently water free.

Applicant respectfully disagrees with regards to these matters. Specifically, Nishikawa et al. discloses a non-magnetic support covered by a thin magnetic metal film and a second protective film having an abrasion resistance. The important product features of Nishikawa et al. are the thickness and the density. The first process claim 9 of Nishikawa et al. claims the same features thickness and density.

In contrast, the present invention teaches a water-free process. As noted above, the water-free process is one of the most, if not the most, important feature of the present

invention. Applicant respectfully submits that Nishikawa et al. neither teaches nor suggests that water is to be absent. In fact, it is the Applicant's contention that the disclosure of Nishikawa et al. does not allow for an inherently water-free process. As a result, Nishikawa et al. fails to teach the central feature of the present invention.

In addition, Applicant will allow the possibility that some of the resulting coatings from the process of Nishikawa et al. could potentially be polar and possibly stable in the long term. However, not a single one of the seventeen examples described, discussed or disclosed by Nishikawa et al. suggest a polar coating. Therefore, a polar coating is neither taught nor suggested by Nishikawa et al. As a result of the above-noted discussion, Applicant maintains that Nishikawa et al. lacks the water-free process of the present application, and neither teaches nor suggests a polar coating as does the present invention. As a result, Applicant respectfully traverses the Examiner's grounds for rejection with regards to claims 29-50. As a result, Applicant believes claims 29-50 to now be in condition for allowance.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the

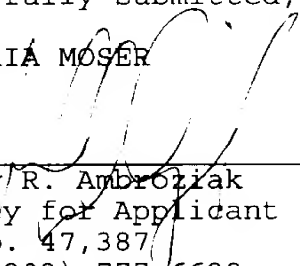
Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on June 3, 2003


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 29 and 46 have been amended as follows:

29. (Thrice Amended) Process which comprises: coating substrates with a polar coating, wherein the coating takes place by means of plasma polymerization; including the step of employing a water-free process gas which contains at least one [substituted] hydrocarbon compound which can be substituted as well with up to a maximum of 8 C-atoms and also an inorganic gas, to produce a coating which is stable in the long term; and wherein the coating comprises 2 to 4 gases of the following: CO₂, CH₄, O₂, C₂H₂, NH₃ and Ar.

46. (Thrice Amended) Process which comprises: coating substrates with a polar coating, wherein the coating takes place by means of plasma polymerization; including the step of employing a water-free process gas which contains at least one substituted hydrocarbon compound with up to a maximum of 8 C-atoms and also an inorganic gas, to produce a coating which is stable in the long term; wherein the polar coating has an initial surface tension of [γ] \geq 45 mN/m, which remains unchanged for at least one year.